

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

YSLETA DEL SUR PUEBLO
Peititioner,

v.

UNITED STATES DEPARTMENT
OF THE INTERIOR,
Defendant

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CIVIL ACTION NO.
EP-06-CA-0106

JOINT MOTION FOR STAY OF REMAINING BRIEFING DEADLINES

TO THE HONORABLE KATHLEEN CARDONE, UNITED STATES DISTRICT JUDGE:

NOW COME the Ysleta del Sur Pueblo (“the Pueblo”), Plaintiff herein, and the United States Department of the Interior, Defendant, by and through their respective counsel of record, and respectfully submit this Joint Motion for Stay. In support of this request, the parties would show the Court the following:

1. This is a single issue lawsuit under the Freedom of Information Act in which the Court must determine whether one document should be disclosed to the Plaintiff. The parties agree that the controlling issue is a legal one and that no trial of this matter will be required. The parties have a long history of mostly cooperative relations and wish such relations to continue. Cooperative relations are jeopardized by ongoing litigation.

2. Since the Christmas and New Year’s holiday, the parties have engaged in settlement negotiations to determine if this matter can be amicably resolved without further briefing and without incurring further legal expenses. On January 5, 2007, the parties had

productive settlement talks, and have reached a tentative understanding to resolve this lawsuit. The parties currently are in the process of drafting settlement documents. The parties believe that final settlement documents can be ready for submission to the Court within the next thirty (30) days.

3. The parties therefore request that the Court's briefing deadlines set forth in its Order of December 14, 2006 be stayed for a period of thirty (30) days. At the conclusion of this thirty-day time period, on or before February 5, 2007, the parties will either submit final settlement documents to the Court, or if for any reason a final settlement cannot be reached, request new briefing deadlines.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that the current deadlines requiring submission of summary judgment response briefs by January 9, and summary judgment reply briefs by January 20, be stayed for a period of thirty days.

BY: /s/ *Ronald L. Jackson*
Ronald L. Jackson
DIAMOND & JACKSON
9241 Socorro Road
El Paso, Texas 79907
ATTORNEY FOR PLAINTIFF

Date: January 5, 2007

Defendant:

BY: /s/ Robert Shaw-Meadow
Robert Shaw-Meadow
Assistant United States Attorney
United States Attorney's Office
601 N.W. Loop 410, Suite 600
San Antonio, Texas 78216-5512
ATTORNEY FOR DEFENDANT

Date: January 5, 2007

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

YSLETA DEL SUR PUEBLO
Petitioner,

v.

UNITED STATES DEPARTMENT
OF THE INTERIOR,
Defendant

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CIVIL ACTION NO.
EP-06-CA-0106

ORDER

On this day the Court considered the parties Joint Motion for Stay of Remaining Briefing Deadlines.

In view of the parties' representation that they are engaged in settlement negotiations, the Court is of the opinion that the Joint Motion should be **GRANTED**.

IT IS THEREFORE ORDERED that the Court's current summary judgment briefing deadlines, set forth in its Order of December 14, 2006, are HEREBY STAYED for a period of thirty (30) days.

IT IS FURTHER ORDERED that the parties submit final settlement documents to the Court on or before February 5, 2007, or request new summary judgment briefing deadlines.

SO ORDERED.

SIGNED on this _____ day of January, 2007.

KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE